

AO91 (Rev. 8/01) Criminal Complaint

## United States District Court

AUG 4 2014 CLR

SOUTHERN

DISTRICT OF

TEXAS

David J. Daubrey, Clerk  
Laredo Division

UNITED STATES OF AMERICA

V.

Osbaldo Flores

Nuevo Laredo, Tamaulipas

Jose Carlos Lopez Jr.

Laredo, Texas

CRIMINAL COMPLAINT

Case Number: 5:14 mj 1034 - 1

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(Name and Address of Defendants)

I, the undersigned complainant state that the following is true and correct to the best of my

knowledge and belief. On or about August 1, 2014 in Laredo, Texas Webb County, in

(Date)

the Southern District of Texas, Osbaldo Flores andJose Carlos Lopez Jr. defendant(s),

a Mexican citizen and a United States citizen, did attempt to unlawfully transport a total of seven undocumented aliens; five Mexican and two El Salvadorian Nationals by means of a motor vehicle within the Southern District of Texas knowing or in reckless disregard of the fact that said aliens had come to, entered, or remained in the United States in violation of law, and transported or moved said aliens within the United States by means of motor vehicle or otherwise, in furtherance of such violation of law.

in violation of Title 8 United States Code, Section(s) 1324

Special Agent,

I further state that I am a(n) U.S. Immigration & Customs Enforcement and that this complaint is based on the

Official Title

following facts: based on statements of the accused and records of the Immigration &amp; Naturalization Service.

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Signature of Complainant

Roberto Flores

Printed Name of Complainant

Sworn to before me and signed in my presence,

August 4, 2014

Date

at

Laredo, Texas

City and State

J.Scott HackerU.S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer

United States of America

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vs

Osbaldo Flores  
Jose Carlos Lopez Jr.

**[CONT OF BASIS OF COMPLAINT]**

On August 1, 2014, Homeland Security Investigations (HSI), Laredo special agents (SAs) responded to the Laredo North Border Patrol Station for an alien smuggling event involving seven undocumented aliens (UDAs).

Border Patrol Agent (BPA) observed a white Chevrolet truck displaying Texas license plate [REDACTED], travel north on Interstate Highway 35 (IH-35) access road from Exit 27. The vehicle paused for several seconds, as if the driver was indecisive as of to turn right or left. While the vehicle was stopped BPA observed that it was not displaying a front license plate. The vehicle then turn right and proceeded north on the access road at a very low rate of speed. BPA followed the vehicle from a safe distance to see if it would enter into one of the ranches. The vehicle continued north past the Border Patrol (BP) checkpoint located at mile maker 29. The BPA requested a registration check which returned to a 2013 Chevrolet flatbed truck, not the same truck the BPA was following.

The BPA conducted a vehicle stop to conduct an immigration inspection on the occupants of the vehicle. As the BPA approached the vehicle and identify himself, the driver, later identified as Jose Carlos LOPEZ, Jr., immediately interrupted and stated, "Just arrest me now officer, I have illegals in the back seat, just arrest me now I know what I'm telling you". During an immigration inspection of the occupants in the vehicle, BPA encountered seven undocumented aliens (UDAs) concealed in the rear cab area of the truck and the passenger, later identified as Osbaldo FLORES. LOPEZ Jr., FLORES and the seven UDAs were taken into custody.

HSI special agents responded to the Laredo North Border Patrol Station and read LOPEZ Jr. his Miranda Warnings. LOPEZ Jr. acknowledged his rights, signed the waiver, did not invoke his rights to an attorney, and spoke to HSI SAs.

LOPEZ Jr. stated he was going to be paid \$2,000 to transport the UDAs to San Antonio, Texas. LOPEZ Jr. stated he was going to pay FLORES \$500 to help him transport the UDAs to San Antonio.

HSI special agents read FLORES his Miranda Warnings. FLORES acknowledged his rights, signed the waiver, did not invoke his rights to an attorney, and spoke to HSI SAs.

FLORES stated he recruited LOPEZ Jr. for the smuggling organization. Flores stated he was to be paid \$500 for recruiting LOPEZ Jr.

HSI SAs conducted interviews of all the undocumented aliens and determined Julio Alamilla-Montejo and Jose Vasquez-Benitez will be held as material witnesses in the case against LOPEZ Jr. and FLORES.

LOPEZ Jr. and FLORES were charged with 8 USC 1324 Transporting Undocumented Aliens and were booked into Webb County jail pending their initial appearance before a US Magistrate Judge.